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Attorneys for Plaintiff
LARRY MONTGOMERY

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

LARRY MONTGOMERY;

Plaintiff,

vs.

CITY OF ALAMEDA; et al.,

Defendants.

Case No.: 4:23-cv-03319-DMR

**JOINT STIPULATION AND ORDER
(AS MODIFIED) TO CONTINUE
FURTHER CASE MANAGEMENT
CONFERENCE HEARING DATE**

Current Date: 7/3/24

Proposed New Date:

Complaint Filed: 7/3/23

Settlement Conference: 9/4/24

Pre-Trial Conference: 6/25/25

Trial Date: 7/7/25

**TO THE HONORABLE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF
RECORD:**

The Parties hereto, by and through their undersigned counsel, hereby enter into the following Joint Stipulation and request the Court to continue the Further Case Management Conference from July 3, 2024, 1:30 p.m., to August 7, 2024, or a date as soon thereafter as may be available for this Court. Good cause exists for rescheduling the hearing date for the following purposes:

1. Plaintiff's attorney, David C. Anderson, was hospitalized on May 17, 2024, and remains so as of the date of this Stipulation without a release date determined at this time;

2. Several attorney colleagues have been covering hearing dates for Mr. Anderson since his hospitalization but none of them are available either in person or via a remote Zoom hearing, on July 3, 2024;

3. A Settlement Conference is scheduled for September 4, 2024, before Magistrate Judge A. Kandis Westmore;

3. All parties have agreed to the continuance. The proposed continuance date to August 7, 2024, or a date as soon thereafter as is available for this Court, would not alter any deadline already fixed by Court's Order Setting Initial Case Management Conference and ADR Deadlines (ECF No. 3).

For the foregoing reasons, the Parties respectfully request the Court extend the hearing date from July 3, 2024, to August 7, 2024.

IT IS SO STIPULATED:

Dated: June 17, 2024

ANDERSON LAW

By: /s/ David C. Anderson
DAVID C. ANDERSON
Attorneys for Plaintiff

Dated: June 17, 2024

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Robert M. Ferrier
ROBERT M. FERRIER
Attorneys for Alameda Defendants

Dated: June 17, 2024

DEPUTY CITY ATTORNEY

By: /s/ Douglas W. McManaway
DOUGLAS W. McMANAWAY
Attorneys for Alameda Defendants

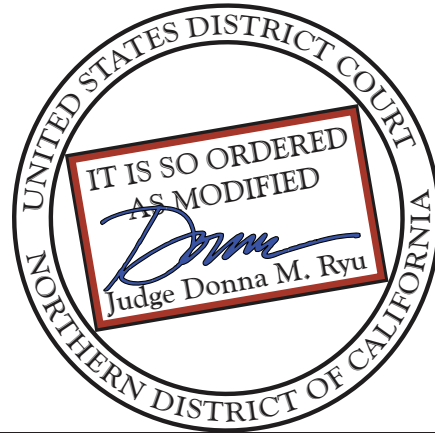
ORDER OF THE COURT (AS MODIFIED)

After consideration of the Parties' Joint Stipulation presented to this Court, **IT IS**
HEREBY ORDERED THAT:

The Parties' Joint Stipulation to Continue the Further Case Management Conference hearing set for July 3, 2024 at 1:30 p.m. is **GRANTED**. The Further Case Management Conference is continued to September 18, 2024 at 1:30 p.m. in Oakland, by Videoconference only. Parties shall file an updated joint case management conference statement by September 11, 2024. All counsel and parties may access the webinar information (public hearings) at <https://cand.uscourts.gov/judges/ryu-donna-m-dmr/>.

IT IS SO ORDERED AS MODIFIED.

DATED: June 20, 2024



UNITED STATES CHIEF MAGISTRATE
JUDGE DONNA M. RYU